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6 **UNITED STATES DISTRICT COURT**  
7 **DISTRICT OF NEVADA**  
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9 PIERRE DONTÉ JOSH LIN,

10 Petitioner,

11 vs.

12 DWIGHT NEVEN, et al.,

13 Respondents.  
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Case No. 2:13-cv-01014-JAD-NJK

**ORDER**

15 Petitioner, who is a prisoner in the custody of the Nevada Department of Corrections, has  
16 submitted a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 (#1), an application to  
17 proceed *in forma pauperis* (Doc. 3), and a motion for appointment of counsel (Doc. 4). Petitioner is  
18 unable to afford counsel, and the issues presented warrant the appointment of counsel. *See* 18  
19 U.S.C. § 3006A(a)(2)(B).

20 **IT IS THEREFORE ORDERED** that the application to proceed *in forma pauperis* (Doc.  
21 3) is **GRANTED**.

22 **IT IS FURTHER ORDERED** that petitioner's motion for appointment of counsel (Doc. 4)  
23 is **GRANTED**. The Federal Public Defender is provisionally appointed to represent petitioner.

24 **IT IS FURTHER ORDERED** that the Federal Public Defender shall have thirty (30) days  
25 from the date that this order is entered to undertake direct representation of petitioner or to indicate  
26 to the court his inability to represent petitioner in these proceedings. If the Federal Public Defender  
27 does undertake representation of petitioner, he shall then have sixty (60) days to file an amended  
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1 petition for a writ of habeas corpus. If the Federal Public Defender is unable to represent petitioner,  
2 then the court shall appoint alternate counsel.


3 **IT IS FURTHER ORDERED** that the clerk shall add Catherine Cortez Masto, Attorney  
4 General for the State of Nevada, as counsel for respondents.

5 **IT IS FURTHER ORDERED** that the clerk shall electronically serve both the Attorney  
6 General of the State of Nevada and the Federal Public Defender a copy of the petition (Doc. 1) and  
7 a copy of this Order.

8 **IT IS FURTHER ORDERED** that respondents' counsel shall enter a notice of appearance  
9 within twenty (20) days of entry of this Order, but no further response shall be required from  
10 respondents until further order of the court.

11 **IT IS FURTHER ORDERED** that any exhibits filed by the parties shall be filed with a  
12 separate index of exhibits identifying the exhibits by number or letter. The CM/ECF attachments  
13 that are filed further shall be identified by the number or numbers (or letter or letters) of the exhibits  
14 in the attachment. The hard copy of any additional state court record exhibits shall be  
15 forwarded—for this case—to the staff attorneys in Las Vegas.

16 DATED: November 26, 2013.

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19 JENNIFER A. DORSEY  
20 United States District Judge  
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